

AMENDED IN SENATE JUNE 30, 2009

AMENDED IN ASSEMBLY APRIL 23, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

## ASSEMBLY BILL

**No. 1274**

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**Introduced by Assembly Member Huber**

February 27, 2009

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An act to amend ~~Section 86109.5~~ *Sections 86109.5 and 86116* of, and to add Section 86119 to, the Government Code, relating to the Political Reform Act of 1974.

### LEGISLATIVE COUNSEL'S DIGEST

AB 1274, as amended, Huber. Political Reform Act of 1974: lobbyists.

Existing law, the Political Reform Act of 1974, requires that the Secretary of State maintain on the Internet an updated list of lobbyists, lobbying firms, and lobbying employers.

The act further requires lobbyist employers and persons making certain payments to influence legislative or administrative action to file periodic statements disclosing, among other things, their lobbying interests.

*This bill would require lobbyists who are required to file periodic reports with the Secretary of State to include the specific bill numbers lobbied on during the reporting period.*

This bill would *also* require the Secretary of State, within 90 days of the end of each calendar quarter, to display on the office's Internet Web site a list of the lobbying interests ~~that~~ *containing a specific bill number reference which* were reported to the Secretary of State pursuant to those provisions and a list of those lobbyist employers who reported those interests in the prior calendar quarter.

The Political Reform Act of 1974, an initiative measure, provides that the Legislature may amend the act to further the act's purposes upon a  $\frac{2}{3}$  vote of each house and compliance with specified procedural requirements.

This bill would declare that it furthers the purposes of the act.

Vote:  $\frac{2}{3}$ . Appropriation: no. Fiscal committee: yes.

State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 86109.5 of the Government Code is  
2     amended to read:

3     86109.5. (a) The Secretary of State shall establish and maintain  
4     on the Internet an online version of the Directory of Lobbyists,  
5     Lobbying Firms, Lobbyist Employers, and Lobbying Interests.  
6     The Secretary of State shall update the directory weekly.

7     (b) The Secretary of State shall also display on the Internet a  
8     list of the specific changes made to the Directory of Lobbyists,  
9     Lobbying Firms, ~~and Lobbying Employers~~, *Lobbying Employers*,  
10    *and Lobbying Interests* including new registrations and listings,  
11    additions, deletions, and other revisions, during the seven days  
12    preceding the update required by subdivision (a).

13    (c) Notwithstanding any other provision of this title, the lobbying  
14    data made available on the Internet shall include the street name  
15    and building number of the persons or entity representatives listed  
16    on all the documents submitted to the Secretary of State pursuant  
17    to Chapter 6 (commencing with Section 86100).

18    SEC. 2. Section 86116 of the Government Code is amended to  
19    read:

20    86116. Every person described in Section 86115 shall file  
21    periodic reports containing the following information:

22    (a) The name, business address, and telephone number of the  
23    lobbyist employer or other person filing the report.

24    (b) The total amount of payments to each lobbying firm.

25    (c) The total amount of all payments to lobbyists employed by  
26    the filer.

27    (d) A description of the specific lobbying interests of the filer,  
28    *including the bill number of the legislation lobbied for or against*  
29    *during the reporting period, if applicable.*

1 (e) A periodic report completed and verified by each lobbyist  
2 employed by a lobbyist employer pursuant to Section 86113.

3 (f) Each activity expense of the filer. A total of all activity  
4 expenses of the filer shall be included.

5 (g) The date, amount, and the name of the recipient of any  
6 contribution of one hundred dollars (\$100) or more made by the  
7 filer to an elected state officer, a state candidate, or a committee  
8 controlled by an elected state officer or state candidate, or a  
9 committee primarily formed to support the officer or candidate. If  
10 this contribution is reported by the filer or by a committee  
11 sponsored by the filer in a campaign statement filed pursuant to  
12 Chapter 4 which is required to be filed with the Secretary of State,  
13 the filer may report only the name of the committee, and the  
14 identification number of the committee.

15 (h) (1) Except as set forth in paragraph (2), the total of all other  
16 payments to influence legislative or administrative action including  
17 overhead expenses and all payments to employees who spend 10  
18 percent or more of their compensated time in any one month in  
19 activities related to influencing legislative or administrative action.

20 (2) A filer that makes payments to influence a ratemaking or  
21 quasi-legislative proceeding before the Public Utilities  
22 Commission, as defined in subdivision (b) or (c), respectively, of  
23 Section 82002, may, in lieu of reporting those payments pursuant  
24 to paragraph (1), report only the portion of those payments made  
25 to or for the filer's attorneys for time spent appearing as counsel  
26 and preparing to appear as counsel, or to or for the filer's witnesses  
27 for time spent testifying and preparing to testify, in this type of  
28 Public Utilities Commission proceeding. This alternative reporting  
29 of these payments made during a calendar month is not required  
30 to include payments made to an attorney or witness who is an  
31 employee of the filer if less than 10 percent of his or her  
32 compensated time in that month was spent in appearing, testifying,  
33 or preparing to appear or testify before the Public Utilities  
34 Commission in a ratemaking or quasi-legislative proceeding. For  
35 the purposes of this paragraph, time spent preparing to appear or  
36 preparing to testify does not include time spent preparing written  
37 testimony.

38 (i) Any other information required by the commission consistent  
39 with the purposes and provisions of this chapter.

1     ~~SEC. 2.~~

2     ~~SEC. 3.~~ Section 86119 is added to the Government Code, to  
3 read:

4     86119. Not later than 90 days following the end of each  
5 calendar quarter, the Secretary of State shall display on his or her  
6 Internet Web site a list of the lobbying interests *containing a*  
7 *specific reference to a bill number* that were reported pursuant to  
8 Section 86116, accompanied by a list of all lobbyist employers  
9 who reported each of those lobbying interests in the prior calendar  
10 quarter.

11    ~~SEC. 3.~~

12    ~~SEC. 4.~~ The Legislature finds and declares that this bill furthers  
13 the purposes of the Political Reform Act of 1974 within the  
14 meaning of subdivision (a) of Section 81012 of the Government  
15 Code.